

**APR 10 2006**

**NOT FOR PUBLICATION**

UNITED STATES COURT OF APPEALS

CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

RANDY JOE LEWIS,

Defendant - Appellant.

No. 05-50484

D.C. No. CR-02-00097-AHS

MEMORANDUM<sup>\*</sup>

Appeal from the United States District Court  
for the Central District of California  
Alicemarie H. Stotler, District Judge, Presiding

Submitted April 5, 2006<sup>\*\*</sup>

Before: HAWKINS, McKEOWN, and PAEZ, Circuit Judges.

Randy Joe Lewis appeals from the imposition of two special conditions of his supervised release after pleading guilty to two counts of being a felon in

---

<sup>\*</sup> This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

<sup>\*\*</sup> This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

possession of a firearm, in violation of 18 U.S.C. § 922(g)(1). We have jurisdiction pursuant to 28 U.S.C. § 1291, and we affirm.

Lewis contends that the condition that he abstain from alcohol is improper because it is not reasonably related to his offense, history, or personal characteristics. This condition is not improper. *See United States v. Carter*, 159 F.3d 397, 401 (9th Cir. 1998).

Lewis also contends that the condition that requires him to pay the cost of his drug and alcohol treatment as directed by his probation officer constitutes an improper delegation of the district court's authority. This condition is not an improper delegation of the district court's authority. *See United States v. Dupas*, 419 F.3d 916, 922-24 (9th Cir. 2005).

**AFFIRMED.**